

# Senate Study Bill 1136 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_

BY (PROPOSED ATTORNEY GENERAL  
BILL)

## A BILL FOR

1 An Act relating to defective motorcycles and autocycles  
2 purchased or leased by consumers, making penalties  
3 applicable, and including applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 322G.2, subsection 13, Code 2021, is  
2 amended to read as follows:

3 13. "*Motor vehicle*" means a self-propelled vehicle purchased  
4 or leased in this state, except as provided in [section 322G.15](#),  
5 and primarily designed for the transportation of persons or  
6 property over public streets and highways, but does not include  
7 mopeds, ~~motorcycles~~, ~~autocycles~~, motor homes, or vehicles over  
8 fifteen thousand pounds gross vehicle weight rating.

9 Sec. 2. APPLICABILITY. This Act applies to motorcycles and  
10 autocycles originally purchased or leased by consumers on or  
11 after July 1, 2021.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with  
14 the explanation's substance by the members of the general assembly.

15 Code chapter 322G (defective motor vehicles — lemon law)  
16 sets forth a consumer's right to obtain repairs to, replacement  
17 of, or a refund on the purchase price of a defective motor  
18 vehicle. The Code chapter also sets forth the duties of motor  
19 vehicle manufacturers, informal dispute settlement procedures,  
20 and certain other matters related to such rights. Under  
21 current law, Code section 322G.2 defines "motor vehicle" to  
22 exclude certain types of vehicles, including motorcycles and  
23 autocycles. This bill strikes motorcycles and autocycles from  
24 the exclusion, thereby making the provisions of Code chapter  
25 322G applicable to motorcycles and autocycles.

26 Under current law, a violation by a manufacturer of Code  
27 chapter 322G is an unfair or deceptive trade practice in  
28 violation of Code section 714.16. Pursuant to Code section  
29 714.16, the attorney general may investigate and commence  
30 civil proceedings seeking restraining orders or injunctions  
31 prohibiting persons from engaging in unlawful practices  
32 or seeking termination of the business affairs of a person  
33 engaging in unlawful practices. A civil penalty of up to  
34 \$40,000 per violation may also be imposed by a court against  
35 a person found to have committed an unlawful practice. By

S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

1 operation of law, motorcycle and autocycle manufacturers would  
2 be subject to Code section 714.16 for violations of Code  
3 chapter 322G under the bill.

4     The bill applies to motorcycles and autocycles originally  
5 purchased or leased by consumers on or after July 1, 2021.